

*D. Hansen*  
*#211D*  
*5/2/03*

**PATENT APPLICATION  
RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 1743**

**DO NOT ENTER**

**OK TO ENTER**

**OK AS ENTERED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Stephen Peter FITZGERALD et al.

Group Art Unit: 1743

Application No.: 09/389,082

Examiner: L. Cross

Filed: September 2, 1999

Docket No.: 10416

For: IMPROVEMENTS RELATING TO ASSAY DEVICES

**AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR §1.116**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

In reply to the Final Office Action mailed January 2, 2003, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please cancel claim 4 without prejudice to or disclaimer of the subject matter contained therein.

Please replace claims 1 and 17 as follow:

1. (Twice Amended) An assay assembly, comprising:
  - a chip on which an array of reactive species is immobilized; and
  - a storage well having a continuous base and side walls;
  - wherein said chip is located in said storage well and rests on said base of said storage well, said chip being retained in said storage well by retaining means.

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